

Remarks:

Claims 1-5 and 7-9 are pending in this application. Applicants have amended claims 1-5, 8, and 9 and cancelled claim 6 to clarify the present invention. Applicants respectfully request favorable reconsideration of this application.

Applicants have amended claim 1 to clarify the structure of the loops. Accordingly, Applicants respectfully request withdrawal of the objection to claim 1.

The Examiner rejects claims 1-9 under 35 U.S.C. § 102(b) as being anticipated by or in the alternative under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,608,597 to Holmström et al.

Holmström et al. does not disclose the invention recited in claim 1 since, among other things, Holmström et al. does not disclose a surge arrester that includes loops having a surface that faces a stack of varistor blocks that the loops surround. Rather, Holmström et al. discloses loops having square cross-sections that only have a corner that faces a varistor stack. The shape of the loops permits the cross-section of rings or bands surrounding the loops and varistor stack to have a substantially circular cross-section as illustrated in Fig. 4. Additionally, the loops permit the rings or bands to arranged more closely and uniformly to the varistor stack. If the rings are too far away from the varistor stack, the volume of the insulation has to be increased, which, of course, increases the cost. However, the increased insulation deteriorates the short-circuit performance of the structure because the rubber, or corresponding material, inside the

rings prevents the arrester from ventilating and a higher pressure is built up. This results in a much more violent short-circuit behavior.

The shape of the loops according to the claimed invention help to improve the short-circuit performance of the surge arrester, provide a surge arrester having a predictable behavior in case of a breakdown, and provide a surge arrester with less variation of performance than hitherto known arresters. Additionally, the structure according to the claimed invention may be manufactured in a more economic manner. Holmström et al. does not disclose the features of the invention recited in claim 1 nor the benefits provided thereby.

The mirror image cross-sections of the loops provides the loops with the largest possible cross-section within two imaginary concentric circles at the cylindrical varistor blocks. If the loops have the same cross-section it is not possible for the loops to have an equally large cross-section and at the same time keep the outer diameter of the insulating casing as small as possible for manufacturing and economic reasons. A larger cross-sectional area gives improved mechanical performance with respect to bending strength for the arrester and at the same time provides stiffer and more robust loops in the event of a short-circuit.

Additionally, loops having a mirror image cross-section provide a large contact area between the loops and the winding/bands. The large contact area is favorable for adhesion of the winding /bands in that the winding/bands are kept on place during their molding in, for example, rubber.

In view of the above, Holmström et al. does not disclose all elements of the invention recited in claim 1, or claims 2-5 and 7-9, which depend from claim 1. Since Holmström et al. does not disclose all elements of the invention recited in claim 1-5 and 7-9, the invention recited in claims 1-5 and 7-9, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

In view of the above, the reference relied upon in the office action does not disclose patentable features of the claimed invention. Therefore, the reference relied upon in the office action does not anticipate the claimed invention. Accordingly, Applicants respectfully request withdrawal of the rejection based upon the cited reference.

In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this case, Applicants urge the Examiner

to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date: November 17, 2008

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